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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 THE BOARD OF TRUSTEES, in their ) No. C 07-04784 EMC  
11 capacities as Trustees of the LABORERS )  
HEALTH AND WELFARE TRUST FUND )  
12 FOR NORTHERN CALIFORNIA; LABORERS )  
VACATION-HOLIDAY TRUST FUND FOR )  
13 NORTHERN CALIFORNIA; LABORERS )  
PENSION TRUST FUND FOR NORTHERN )  
14 CALIFORNIA; and LABORERS TRAINING )  
AND RETRAINING TRUST FUND FOR )  
15 NORTHERN CALIFORNIA, )  
Plaintiffs, )  
v. )  
CHESTER L. NEAL, Individually and doing )  
business as C.L. NEAL CONSTRUCTION, )  
Defendant. )

**EX PARTE APPLICATION FOR  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

22 **TO: THE CLERK OF THE COURT AND DEFENDANT CHESTER L. NEAL,  
23 Individually and doing business as C. L. NEAL CONSTRUCTION:**

24 Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case  
management conference scheduled for January 2, 2008 be continued for 60 days.

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26 Despite numerous attempts, Plaintiffs have not been able to successfully serve Defendant.

1 Plaintiffs request that the Case Management Conference be continued for 60 days so that Plaintiffs  
2 may attempt to locate and serve Defendant with the Complaint.

3 The above stated facts are set forth in the accompanying declaration of Kristina M. Zinnen  
4 in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

5 Dated: December 18, 2007

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

7 By: \_\_\_\_\_ /s/  
8 KRISTINA M. ZINNEN  
9 Attorneys for Plaintiffs

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11 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

12 Based upon the foregoing Ex Parte Application for Continuance of Case Management  
13 Order and Declaration of Kristina M. Zinnen in Support of Ex Parte Application to Continue Case  
14 Management Conference, the Court orders a continuance of the case management conference for  
15 60 days, or as soon thereafter as a court date is available. In addition, the Court Orders:

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18 Dated:

19 \_\_\_\_\_  
20 The Honorable Edward M. Chen  
21 United States District Court Judge

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